



Joint Information Center - JIC Release No. 466
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Regulations Governing the Enforcement of Public Health Guidance Memoranda and Directives During the COVID-19 Public Health Emergency Effective Thursday, November 26, 2020

For information on COVID-19 cases, visit the official COVID-19 Situation Report and Dashboard at <http://dphss.guam.gov/covid-19/>.

Regulations Governing the Enforcement of Public Health Guidance Memoranda and Directives Effective Thursday, November 26, 2020

Effective Thursday, November 26, 2020, in accordance with 10 GCA § 19802, the Department of Public Health and Social Services (DPHSS), in coordination with the Guam Police Department (GPD), will begin the enforcement of DPHSS Guidance Memoranda and Directives during the COVID-19 Public Health Emergency first declared by Governor Lourdes A. Leon Guerrero in Executive Order No. 2020-03 on March 14, 2020, and extended in several Executive Orders thereafter.

Regulations were developed to slow and contain the spread of COVID-19, which include but are not limited to the enforcement of the limitations on gatherings, the wearing of masks, the requirement to keep logs, and other actions outlined in DPHSS Guidance Memoranda and Directives. DPHSS held two public hearings to gather comments to its draft regulations. The adopted Regulations are a result of that gathered feedback. Challenges to citations can be made through the Traffic Division of the Superior Court of Guam.

For persons, willful violation of, or failure to comply with any guidance or directive issued by DPHSS relating to the following shall constitute a civil violation:

- congregations or social gatherings;
- social distancing and the wearing of masks when congregating with persons not from the same household; or
- any restrictions on the use of public parks or beaches, and on organized or contact sports.

Persons who are found in violation are subject to the following fines and penalties:

- **FIRST OFFENSE:** such person shall be guilty of a civil violation punishable by a fine of One Hundred Dollars (\$100.00).
- **SECOND OFFENSE:** such person shall be guilty of a civil violation punishable by a fine of Two Hundred Fifty Dollars (\$250.00).
- **THIRD OFFENSE AND EACH ADDITIONAL VIOLATION THEREAFTER:** such person shall be guilty of a civil violation punishable by a fine of One Thousand Dollars (\$1,000.00).

For businesses and nonprofit organizations, unless otherwise authorized by DPHSS, willful violation of, or failure to comply with, any guidance or directive issued by DPHSS relating to the following shall constitute a civil violation:

- the submission of mitigation plans;
- limitations on authorized operations;
- occupancy limitations;

Businesses and nonprofit organizations found in violation shall be punishable as follows:

- FIRST OFFENSE: such business or nonprofit organization shall be guilty of a civil violation punishable by a fine of One Thousand Dollars (\$1,000.00).
- SECOND OFFENSE: such business or nonprofit organization shall be guilty of a civil violation punishable by a fine of Two Thousand Five Hundred Dollars (\$2,500.00).
- THIRD OFFENSE AND EACH ADDITIONAL VIOLATION THEREAFTER: such business or nonprofit organization shall be guilty of a civil violation punishable by a fine of Ten Thousand Dollars (\$10,000.00).

Fines collected under this section shall be shared equally by the GPD and DPHSS with funds for DPHSS deposited into the DPHSS COVID-19 account. A complete copy of the Regulations can be found on the DPHSS website at www.dphss.guam.gov.

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